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9 STATE OF CALIFORNIA

10 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

11  
12 In the matter of:

13 ROBERTO GONZALEZ d.b.a.

14 DISTINCTIRE,

15 UNREGISTERED WASTE AND USED

16 TIRE HAULER

17 TPID NO: 1357696-01  
18

19 RESPONDENT.  
20

OAH No. 2007100898

**ADMINISTRATIVE DECISION  
PURSUANT TO STIPULATION**

AGENCY No: 2007-010975-ADC

21 The CIWMB has authority to regulate and conduct enforcement actions regarding  
22 Waste Tire Haulers within the State of California under PRC section 42950 et seq. and  
23 attendant regulations contained in Title 14 of the California Code of Regulations (CCR).

24 The California Integrated Waste Management Board (CIWMB) served an  
25 Administrative Complaint and Request for Hearing form on ROBERTO GONZALEZ  
26 d.b.a. DISTINCTIRE (RESPONDENT), on August 17, 2007. RESPONDENT requested  
27 a hearing and the case was calendared for December 21, 2007.

28 To avoid the uncertainties of litigation, RESPONDENT negotiated a Stipulation for

1 Issuance of Administrative Decision (Stipulation) with the CIWMB to resolve the issues in  
2 the Administrative Complaint. The Board Members of the CIWMB hereby adopt the  
3 Stipulation. Pursuant to the Stipulation, and good cause appearing therefore, the  
4 following Stipulated Factual Findings and Conclusions of Law are made, and the  
5 following Stipulated Order is issued:  
6

7 **STIPULATED FACTUAL FINDINGS**

8 1. The Administrative Complaint was executed by WENDY BRECKON,  
9 Senior Staff Counsel, CIWMB, acting in her official capacity.

10 2. RESPONDENT is responsible for the transportation of more than nine  
11 waste or used tires by a person not holding a valid waste tire hauler registration from the  
12 CIWMB.

13 3. RESPONDENT was previously registered as a waste tire hauler with  
14 CIWMB in 2005 and 2006, but did not renew his waste tire hauler registration for 2007.

15 4. On January 18, 2007, the CIWMB notified RESPONDENT, by letter sent by  
16 U.S. Mail to 13329 East Imperial Highway, Whittier, CA 90605, that RESPONDENT'S  
17 CIWMB waste tire hauler registration was cancelled, and that it is unlawful to haul waste  
18 tires without a CIWMB registration.

19 5. RESPONDENT failed to inform CIWMB of the business's change of  
20 address prior to June 2007.

21 6. During the period from January 9, 2007 through June 11, 2007,  
22 RESPONDENT, an unregistered waste tire hauler, hauled at least 25 loads with more  
23 than 9 waste tires as indicated in the table that follows:  
24

Transaction Date	CTL Trip Number	Quantity Of Tires (PTEs)	End Use Facility
06/05/07	3377964	46	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220



Transaction Date	CTL Trip Number	Quantity Of Tires (PTEs)	End Use Facility
06/05/07	3377964	185	Henry Tires 14020 Pioneer Blvd. Norwalk, CA 90650
06/05/07	3377964	243	Imperial Tires 14321 Imperial Blvd. La Mirada, CA 90638
06/08/07	3377965	236	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/07/07	3377965	105	Purfect Auto Service 2323 So. Azusa, West Covina, CA
06/08/07	3377966	199	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/08/07	3377966	6	Brea Auto Service 265 W. Central Brea, CA
06/18/07	3377966	42	Brea Tire Warehouse 867 Lambert Road La Habra CA 90638
06/11/07	3377967	250	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/11/07	3377967	218	Lamb's Auto Service East Colima Road Rowland Heights, CA 91748
06/06/07	3377974	235	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/06/07	3377974	140	Sosa Tires 8728 Norwalk Whittier CA
06/07/07	3377975	246	CRM Col, LLC 15800 South Avalon Blvd. Compton, CA 90220
06/06/07	3377975	155	7 Days Tire Center 1511 S. Main Street Santana, CA 92707

Transaction Date	CTL Trip Number	Quantity Of Tires (PTEs)	End Use Facility
06/05/07	3377976	232	CRM Col, LLC 15800 South Avalon Blvd. Compton, CA 90220
06/04/07	3377976	56	Independent Car Service 1042 Winners Circle Los Alamitos, CA 90720
06/04/07	3377976	23	Drift Speed 11082 Winner's Circle Los Alamitos, CA 90702
06/04/07	3377977	242	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/04/07	3377977	180	New Century Tire 15145 Beach Blvd. Westminster, CA 92683
06/04/07	3377978	82	CRM Col, LLC 15800 South Avalon Blvd. Compton CA 90220
06/01/07	3377978	185	Tire Pros 18302 Ward St., Fountain Valley, CA 92708
06/01/07	3377978	100	Quality Firestone 18342 Knott Ave., Garden Grove, CA 92841
06/01/07	3377979	2.51	CRM Col, LLC 15800 South Avalon Blvd., Compton CA 90220
05/23/07	3377979	12	Brea Auto Service 265 W. Central, Brea, CA
06/05/07	3377979	100	New Century Tire 15145 Beach Blvd, Westminster, CA 92683

7. On or about June 19, 2007, CIWMB staff spoke with RESPONDENT. CIWMB staff informed RESPONDENT that he was not registered as a Waste tire Hauler, and therefore could not legally haul waste tires until such time as he was registered.

8. RESPONDENT registered as a waste and used tire hauler on July 11, 2007.



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10. The CIWMB's authority to assess administrative penalties against RESPONDENT as a waste tire hauler is set forth in PRC section 42962 and in Title 14 of the California Code of Regulations (CCR) section 18464.

## ORDER

ROBERTO GONZALEZ d.b.a. DISTINCTIRE, is ordered to pay an administrative penalty of one thousand dollars (\$1,000) to the CIWMB according to the terms of the Stipulation.

This DECISION shall become effective March 19, 2008.

Dated this 1<sup>st</sup> day of February 2008.

California Integrated Waste Management Board v. Roberto Gonzalez d.b.a. DISTINCTIRE, Administrative Decision

